

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

NICHOLAS J. WILLING,  
Plaintiff,  
v.  
STATE OF NEVADA,  
Defendant.

Case No. 2:22-cv-00733-APG-DJA

**ORDER**

[ECF Nos. 29, 33]

On April 7, 2023, Magistrate Judge Albregts recommended that I deny plaintiff Nicholas Willing's motion to show good cause (ECF No. 29) and give Willing additional time to serve the State of Nevada. ECF No. 33. Willing did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Judge Albregts' Report and Recommendation (**ECF No. 33**) is accepted.

I FURTHER ORDER that Willing's motion (**ECF No. 29**) is **DENIED**.

I FURTHER ORDER that Willing has until June 16, 2023 to properly serve the State of Nevada. Failure to file proof that the State of Nevada was properly served by that date will result in dismissal without prejudice.

DATED THIS 26th day of April, 2023.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE